

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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TECH CENTER 1600/2900

JPL  
9/30/02

In re Application of:	)	Art Unit: 1614
Michael TOVEY	)	Examiner: J. Goldberg
Appln. No.: 09/243,030	)	Washington, D.C.
Filed: February 3, 1999	)	December 8, 2000
For: THERAPEUTIC APPLICATIONS OF HIGH DOSE INTERFERON	)	Atty.Docket: TOVEY=1A

#10/C  
(RE)  
JPL  
12/18/00

AMENDMENT

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the official action of September 8,  
2000, please amend as follows:

IN TH CLAIMS:

Delete claim 7 and substitute therefor new claim 36

as follows:

*C1*  
--36. A method for treating a viral infection,  
which method comprises administering to the mammal having such  
a viral infection an effective amount of an interferon via  
oromucosal contact, said amount being in excess of a dose of  
the same interferon which induces a pathological response when  
parenterally administered, said oromucosal administration  
being in a manner which does not involve direct action of the  
interferon on virally infected cells and provided that when

*th K  
JPL*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## RESPONSE UNDER 37 CFR 1.116

## EXPEDITED PROCEDURE

## EXAMINING GROUP

1614 AF

Art Unit: 161

Examiner: J. Guldberg

Washington, D.C.

Atty.'s Docket: TOVEY=1A

Date: December 8, 2000

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In Re Application of: TOVEY, Michael

Application No.: 09/243,030

Filed: February 3, 1999

For: THERAPEUTIC APPLICATIONS OF HIGH DOSE INTERFEN



THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

Transmitted herewith is a [XX] Amendment [...] with Hayden (1988) and Scott (1986) references in the above-identified application.

[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[ ] The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 16	MINUS ** 20	0
INDEP.	* 1	MINUS *** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

ADDITIONAL FEE TOTAL: \$

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x 9	\$		x 18	\$
x 40	\$		x 80	\$
+ 135	\$		+ 270	\$
		OR		
		TOTAL		\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 195.00
- [ ] Third - \$ 445.00
- [ ] Fourth - \$ 695.00

## Month After Time Period Set

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

## Other Than Small Entity

## Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 390.00
- [ ] Third - \$ 890.00
- [ ] Fourth - \$ 1390.00

## Month After Time Period Set

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_.

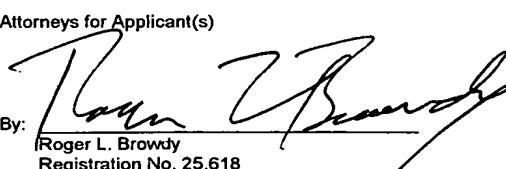
[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$\_\_\_\_\_.

[ ] A check in the amount of \$\_\_\_\_\_ is attached (check no. ).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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